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PTO/SB/64 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional) 07716.P001
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First named inventor: Kenneth Hing Key Tseng
Application No.: 10/078,732
Filed: February 19, 2002
Title: Variable Stage Ratio Buffer Insertion For Noise Optimization In A Logic Circuit
Art Unit: 2825
Examiner: Tat, Binh C.

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OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment and Response (37 C.F.R. 1.121) (identify type of reply):

- ☒ has been filed previously on February 19, 2004.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/30/2004 AWONDAF1 00000083 10078732

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1330.00 OP

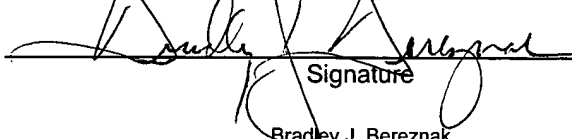
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature
Bradley J. Berezna

Typed or printed name

800 W. El Camino Real, Suite 180

Address

Mountain View, California 94040

Address

September 22, 2004

Date

33,474

Registration Number, if applicable

650-903-2264

Telephone Number

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: Copy of Facsimile Transmission to USPTO Examiner dated June 13, 2004.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

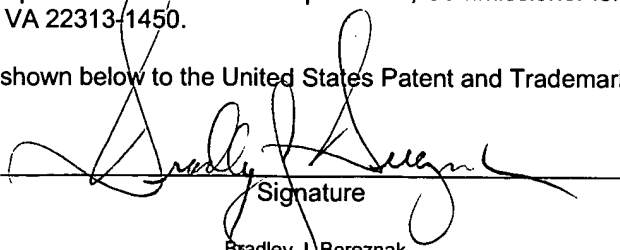
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☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

September 22, 2004

Date



Signature
Bradley J. Berezna

Typed or printed name of person signing certificate



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(650) 903-2264 (Telephone)
(650) 903-2280 (Facsimile)

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OFFICE OF PETITIONS

FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO USPTO)

Deliver to: Examiner Binh C. Tat - TC2825
Firm Name: U.S. PATENT AND TRADEMARK OFFICE
Fax Number: (571) 273-1108 Telephone No.: (571) 272-1908
From: Bradley J. Berezna (Reg. No. 33,474)
Date: July 13, 2004 Time: 9:03 a.m. PDT
Operator: crb Matter: 07716.P001
Number of pages including cover sheet: 11
In Re Patent Application of: Tseng, K.
Application No.: 10/078,732 Filed: Feb. 19, 2002
For: Variable Stage Ratio Buffer Insertion For Noise Optimization In A Logic Network

Enclosed are the following documents: In accordance with our phone conversation earlier today, attached is a copy of an Amendment and Response that was filed on February 19, 2004 in response to the Office Action mailed 11/21/03 for the above case. Also included is a copy of the USPTO Auto-Reply Facsimile Transmission proving receipt of the same by the Patent Office.
Please call me, if you have any questions or should require anything further. Thank you for your attention to this application.

Sincerely,

Bradley J. Berezna

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on:

Date of Transmission July 13, 2004

Bradley Berezna

(Typed or printed name of person transmitting paper)

[Signature]
(Signature of person transmitting paper)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TSENG, KENNETH

Serial No.: 10/078,732

Filing Date: February 19, 2002

For: **VARIABLE STAGE RATIO BUFFER
INSERTION FOR NOISE OPTIMIZATION
IN A LOGIC CIRCUIT**

Examiner: Tat, Binh C.

Art Unit: 2825

Statement Regarding Unintentional Delay

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states that the entire delay regarding a response to the Office Action mailed November 21, 2003 in the above referenced application until the filing of a grantable petition pursuant to 37 CFR 1.137(b), herewith, was unintentional. The reason for the delay is as follows.

In late November 2003, undersigned attorney of record in the instant application received a copy of an Office Action mailed November 21, 2003 in the above-referenced case. A nine-page Amendment and Response (37 C.F.R. 1.121) was filed with the USPTO on February 19, 2004 via facsimile transmission at 5:08 p.m. EDT. An Auto-Reply Facsimile Transmission was received by the undersigned a minute later. Copies of both the Amendment and Response, and the USPTO

2004 SEP 27 PM 2:19
OPR/FINANCE

Auto-Reply Facsimile Transmission are attached herewith. Thus, Applicant respectfully submits that a proper response to the November 21, 2003 Office Action was timely filed and acknowledged as received by the U.S. Patent Office.

On July 13, 2004 the undersigned attorney of record received a telephone call from Examiner Tat in connection with the above-identified application, wherein Examiner Tat stated that he had no record of any amendment filed in response to the November 21, 2003 Office Action. Accordingly, the undersigned sent a copy of the February 19, 2004 Amendment and Response to Examiner Tat via facsimile transmission (the fax number was provided by the Examiner). A copy of the Facsimile Transmission Sheet sent on July 13, 2004 for delivery to Examiner Tat is also attached herewith.

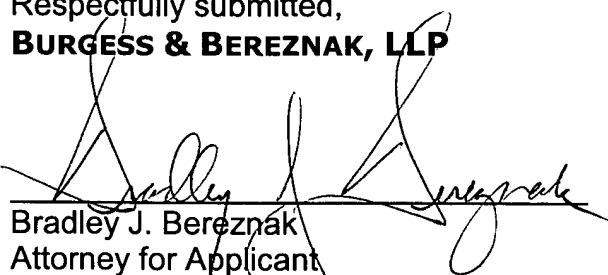
Applicants received no further communication from the USPTO until a Notice of Abandonment was received by the undersigned on August 27, 2004. In a subsequent conversation with Examiner Tat, he stated that he never received the facsimile transmission sent on July 13, 2004.

On or about September 8, 2004 the undersigned attorney of record received authorization from Cadence Design Systems (the assignee of the subject application) to proceed with the present Petition for Revival under 37 CFR 1.137(b).

Please charge any shortages of fees or credit any overcharges of fees to our
Deposit Account No. 50-2060.

Respectfully submitted,
BURGESS & BEREZNAK, LLP

Dated: 9/22, 2004


Bradley J. Berezna
Attorney for Applicant
Registration No. 33,474

FIRST CLASS CERTIFICATE OF MAILING
(37 C.F.R. § 1.8(a))

I hereby certify that the foregoing **STATEMENT REGARDING UNINTENTIONAL DELAY** is being
deposited with the United States Postal Service as first class mail with sufficient postage in an envelope
addressed to the M/S Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on September 22, 2004


Bradley J. Berezna
Name of Person Mailing Correspondence

Signature

9/22/04
Date

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 650 903 2280

Fax Information

Date Received:

2/19/2004 5:09:00 PM [Eastern Standard Time]

Total Pages:

9 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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02/19/2004 14:10 FAX 650 903 2280		Burgess & Berezna		001/008	
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A LIMITED LIABILITY PARTNERSHIP					
FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)					
Deliver to: <u>Examiner Tat. Binh C. - TC 2800</u>					
Firm Name: <u>U.S. PATENT AND TRADEMARK OFFICE</u>					
Fax Number: <u>(703) 872-9319</u> Telephone No.: <u>(703) 872-9317</u>					
From: <u>Bradley J. Berezna (Reg. No. 33,474)</u>					
Date: <u>February 19, 2004</u> Time: <u>02:08 p.m. PST</u>					
Operator: <u>Brad Berezna</u> Matter: <u>07716.P001</u>					
Number of pages including cover sheet: <u>9</u>					
In re Patent Application of: <u>Tseng, Kenneth</u> Attorney Docket No.: <u>07716.P001</u>					
Application No.: <u>10/078,732</u> Filed: <u>February 19, 2002</u>					
For: <u>Variable Signal Ratio Buffer Insertion for Noise Optimization in a Logic Network</u>					
Enclosed are the following documents: <u>Amendment and Response</u>					
<u>Please call Bradley J. Berezna, should you have any questions regarding the above.</u>					
Respectfully Submitted,					
Bradley J. Berezna					
CERTIFICATE OF TRANSMISSION					
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:					
Date of Transmission: <u>February 19, 2004</u>					
Transmitted by: <u>Bradley Berezna</u>					
(Typed or printed name of person transmitting paper)					
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(Signature of person transmitting paper)					
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(Rev. 01/23/03)					
PAGE 19 * RCVD AT 2/19/2004 5:09:00 PM [Eastern Standard Time] * SVR:USPTO-EFAX-10 * DNS:8729318 * CSID:650 903 2280 * DURATION (mm-ss):02-23					

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FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)

Deliver to: Examiner Tat, Binh C. - TC 2800

Firm Name: U.S. PATENT AND TRADEMARK OFFICE

Fax Number: (703) 872-9318 **Telephone No.:** (703) 872-9317

From: Bradley J. Berezna (Reg. No. 33,474)

Date: February 19, 2004 **Time:** 02:08 p.m. PST

Operator: Brad Berezna **Matter:** 07716.P001

Number of pages including cover sheet: 9

In re Patent Application of: Tseng, Kenneth **Attorney Docket No.:** 07716.P001

Application No.: 10/078,732 **Filed:** February 19, 2002

For: Variable Stage Ratio Buffer Insertion for Noise Optimization in a Logic Network

Enclosed are the following documents: Amendment and Response.

Please call Bradley J. Berezna, should you have any questions regarding the above.

Respectfully Submitted,

Bradley J. Berezna

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Date of Transmission February 19, 2004

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